

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

AKORN HOLDING COMPANY LLC, *et al.*¹

Debtors.

Chapter 7

Case No. 23-10253 (KBO)
(Jointly Administered)

Objection Deadline: 5/29/2025 at 4:00 PM
Hearing Date: 6/20/2025 at 10:00 AM

George L. Miller, Chapter 7 trustee of the
bankruptcy estates of Akorn Holding Company
LLC, *et al.*,

Plaintiff,

vs.

Defendants Listed on Exhibit “A”,

Defendants.

Adv. No. See Exhibit “A”

**NOTICE OF HEARING AND RESPONSE DATE FOR MOTION
AND DEFENDANTS’ ELECTION AS TO PROCEDURES ORDER TRACK**

PLEASE TAKE NOTICE that the George L. Miller, the chapter 7 trustee of the bankruptcy estates of Akorn Holding Company LLC, et al. (the “Trustee”), has filed the *Motion for Orders Establishing Streamlined Procedures Governing Adversary Proceedings Brought by Plaintiff Pursuant to Sections 502, 547, 548, and 550 of the Bankruptcy Code* (the “Procedures Motion”) with the United States Bankruptcy Court for the District of Delaware (the “Bankruptcy Court”).

¹ The Debtors in these chapter 7 cases, along with the last four digits of their federal tax identification numbers, and cases numbers are Akorn Holding Company LLC (9190), Case No. 23-10253 (KBO); Akorn Intermediate Company LLC (6123), Case No. 23-10254 (KBO); and Akorn Operating Company LLC (6184), Case No. 23-10255 (KBO). The Debtors’ headquarters is located at 5605 CenterPoint Court, Gurnee, IL 60031.

Your rights might be affected. You should read these papers carefully and discuss them with your attorney, if you have one in these bankruptcy cases. If you do not have an attorney, then you may wish to consult an attorney.

PLEASE TAKE FURTHER NOTICE that the Trustee requests that the Court enter separate procedures orders for adversary proceedings based on the total amount in controversy: (a) one for cases with total amount in controversy less than or equal to \$75,000.00; and (b) one for cases with total amount in controversy greater than \$75,000.00.

- a. All cases with total transfers **equal to or less than \$75,000** are currently placed on Exhibit 1 to the proposed order attached as Exhibit B to the Procedures Motion, which proposed order provides that mediation occurs prior to formal discovery. Any Defendant currently listed on Exhibit 1 to Exhibit B to the Procedures Motion who wishes to be placed on Exhibit 1 to the proposed order attached as Exhibit C to the Procedures Motion, which proposed order provides for formal discovery prior to mediation, must fill out the enclosed election form and send to Plaintiff's counsel either (1) by scanning the ballot and emailing it to the email address listed on the balloting form or (2) by mailing the ballot to the address listed on the balloting form. **This ballot must be sent so as to be received by Plaintiff's counsel no later than May 29, 2025.** If you wish to remain on Exhibit 1 to Exhibit B to the Procedures Motion, which provides for mediation prior to formal discovery, you do not have to fill out any form.
- b. If a Defendant notifies the Plaintiff by above deadline, then the Plaintiff will move the Defendant(s) in cases with total transfers equal to or less than \$75,000.00 that requested the change to the proposed order attached as Exhibit C to the Procedures Motion. **Should a Defendant not notify Plaintiff of its election to move to Exhibit C by the deadline, that Defendant is deemed to have waived its right to elect to change orders.**

PLEASE TAKE FURTHER NOTICE that objections, if any, to the Procedures Motion must be in writing, filed with the Clerk of the Bankruptcy Court, 824 North Market Street, 3rd Floor, Wilmington, Delaware 19801, and served, so as to be received by the undersigned no later than **May 29, 2025, at 4:00 p.m. (ET)** (the "Objection Deadline").

PLEASE TAKE FURTHER NOTICE that if an objection is timely filed, served, and received, and such objection is not otherwise timely resolved, a hearing to consider such objection

to the Motion will be held before the Honorable Karen B. Owens, United States Bankruptcy Judge, at the Bankruptcy Court, 824 North Market Street, 6th Floor, Courtroom 3, Wilmington, Delaware 19801 on **June 20, 2025 at 10:00 a.m. (ET)**. Only those objections that are timely filed and served so as to be received by the Notice Parties on or before the Objection Deadline will be considered by the Court.

PLEASE TAKE FURTHER NOTICE THAT IF AN OBJECTION IS NOT FILED, SERVED, AND RECEIVED BY THE OBJECTION DEADLINE, THE COURT MAY GRANT THE RELIEF REQUESTED IN THE MOTION WITHOUT FURTHER HEARING OR NOTICE.

Dated: May 8, 2025
Wilmington, DE

SAUL EWING LLP

/s/ Evan T. Miller

Evan T. Miller (No. 5364)
Paige N. Topper (No. 6470)
1201 North Market Street, Suite 2300
Wilmington, DE 19801
Telephone: (302) 421-6864
Facsimile: (302) 421-6813
Email: evan.miller@saul.com
paige.topper@saul.com

-and-

John D. McLaughlin, Jr.
No. 4123
Ciardi Ciardi & Astin
1204 N. King Street
Wilmington, DE 19801
Telephone: 484-437-2676
Email: jmclaughlin@ciardilaw.com

-and-

Albert A. Ciardi, III, Esquire
Walter W. Gouldsbury, III, Esquire
1905 Spruce Street
Philadelphia, PA 19103
(215) 557-3550 telephone
(215) 557-3551 facsimile
aciardi@ciardilaw.com

*Special Counsel to George L. Miller, the Chapter 7
trustee of the bankruptcy estates of Akorn Holding
Company LLC, et al.*